

MILITARY SERVICE

Convention and exchange of notes signed at Washington June 3, 1918

Senate advice and consent to ratification June 24, 1918

Ratified by the President of the United States June 28, 1918

Ratified by the United Kingdom July 1, 1918

Ratifications exchanged at London July 30, 1918

Entered into force July 30, 1918

Proclaimed by the President of the United States July 30, 1918

Obsolete after World War I

40 Stat. 1620; Treaty Series 633

CONVENTION

The President of the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being convinced that for the better prosecution of the present war it is desirable that citizens of the United States in Great Britain and British Subjects in the United States shall either return to their own country to perform military service in its army or shall serve in the army of the country in which they remain, have resolved to enter into a Convention to that end and have accordingly appointed as their Plenipotentiaries:

The President of the United States of America, Robert Lansing, Secretary of State of the United States; and

His Britannic Majesty, The Earl of Reading, Lord Chief Justice of England, High Commissioner and Ambassador Extraordinary and Plenipotentiary on Special Mission to the United States,

who, after having communicated to each other their respective full powers found to be in proper form, have agreed upon and concluded the following articles:

ARTICLE I¹

All male citizens of the United States in Great Britain and all male British Subjects in the United States shall, unless before the time limited

¹ For an understanding relating to art. I, see exchange of notes, p. 382.

by this Convention they enlist or enroll in the forces of their own country or return to the United States or Great Britain respectively for the purpose of military service, be subject to military service and entitled to exemption or discharge therefrom under the laws and regulations from time to time in force of the country in which they are: *Provided* that in respect to British Subjects in the United States the ages for military service shall be for the time being twenty to forty-four years, both inclusive;

Provided however that no citizen of the United States in Great Britain and no British Subject in the United States who, before proceeding to Great Britain or the United States, respectively, was ordinarily resident in a place in the possessions of the United States or in His Majesty's Dominions respectively, where the law does not impose compulsory military service shall, by virtue of this Convention, be liable to military service under the laws and regulations of Great Britain or the United States, respectively;

Provided further that in the event of compulsory military service being applied to any part of His Majesty's Dominions in which military service at present is not compulsory, British Subjects who, before proceeding to the United States were ordinarily resident in such part of His Majesty's Dominions, shall thereupon be included within the terms of this Convention.

ARTICLE II

Citizens of the United States and British Subjects within the age limits aforesaid who desire to enter the military service of their own country must, after making such application therefor as may be prescribed by the laws or regulations of the country in which they are, enlist or enroll or must leave Great Britain or the United States as the case may be for the purpose of military service in their own country before the expiration of sixty days after the date of the exchange of ratifications of this Convention, if liable to military service in the country in which they are at the said date; or if not so liable, then before the expiration of thirty days after the time when liability shall accrue; or as to those holding certificates of exemption under Article III of this Convention, before the expiration of thirty days after the date on which any such certificate becomes inoperative unless sooner renewed; or as to those who apply for certificates of exemption under Article III and whose applications are refused, then before the expiration of thirty days after the date of such refusal, unless the application be sooner granted.

ARTICLE III

The Government of the United States and His Britannic Majesty's Government may through their respective Diplomatic Representatives issue certificates of exemption from military service to citizens of the United States

in Great Britain and British Subjects in the United States respectively, upon application or otherwise, within sixty days from the date of the exchange of ratifications of this Convention, or within thirty days from the date when such citizens or subjects become liable to military service in accordance with Article I, provided that the applications be made or the certificates be granted prior to their entry into the military service of either country.

Such certificates may be special or general, temporary or conditional, and may be modified, renewed, or revoked in the discretion of the Government granting them. Persons holding such certificates shall, so long as the certificates are in force, not be liable to military service in the country in which they are.

ARTICLE IV

This Convention shall not apply to British Subjects in the United States (a) who were born or naturalized in Canada, and who, before proceeding to the United States, were ordinarily resident in Great Britain or Canada or in any other part of His Majesty's Dominions to which compulsory military service has been or may be hereafter by law applied, or outside the British Dominions; or (b) who were not born or naturalized in Canada, but who, before proceeding to the United States, were ordinarily resident in Canada.

ARTICLE V

The Government of the United States and His Britannic Majesty's Government will, respectively, so far as possible, facilitate the return of British Subjects and citizens of the United States who may desire to return to their own country for military service, but shall not be responsible for providing transport or the cost of transport for such persons.

ARTICLE VI

No citizen or subject of either country who, under the provisions of this Convention, enters the military service of the other, shall, by reason of such service, be considered, after this Convention shall have expired or after his discharge, to have lost his nationality or to be under any allegiance to His Britannic Majesty or to the United States as the case may be.

ARTICLE VII

The present Convention shall be ratified by the President of the United States of America by and with the advice and consent of the Senate of the United States and by His Britannic Majesty, and the ratifications shall be exchanged at Washington or at London as soon as possible. It shall come into operation on the date on which the ratifications are exchanged, and shall remain in force until the expiration of sixty days after either of the contracting

parties shall have given notice of termination to the other; whereupon any subject or citizen of either country incorporated into the military service of the other under this Convention shall be as soon as possible discharged therefrom.

In witness whereof the respective Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

DONE in duplicate at Washington the third day of June, in the year of our Lord one thousand nine hundred and eighteen.

ROBERT LANSING	[SEAL]
READING	[SEAL]

EXCHANGE OF NOTES

*The Ambassador of Great Britain on Special Mission to the
Secretary of State*

BRITISH EMBASSY
Washington, June 3, 1918

SIR:

With reference to the Military Service Convention between the United States and Great Britain signed today, I am instructed by His Majesty's Government to explain why the proviso to Article One does not limit the military service of citizens of the United States in Great Britain to those of the ages specified in the laws of the United States prescribing compulsory military service, as requested by the United States Government. The reason for the omission of this clause in the proviso is a desire to avoid the delay that would be involved in modifying the Military Service Acts 1916 to 1918, which control the operation of any convention of this character. I beg you, therefore, to be good enough not to press this proposal.

The effect of these Acts is to make United States citizens in Great Britain under this convention liable to military service between the ages of 18 and 49 both inclusive. The limitation of the ages of United States citizens in Great Britain for the purpose of military service to those prescribed in the laws of the United States relating to compulsory military service may, however, be attained without amendment of these Acts by exercise of the United States of its right of exemption under Article Three.

His Majesty's Government understand, therefore, that the United States Government will exercise their right under Article Three to exempt from compulsory military service in Great Britain all citizens of the United States

in Great Britain, outside the ages specified in the laws of the United States prescribing compulsory military service.

I have the honor to be with the highest consideration, Sir,
Your most obedient, humble servant,

READING

The Honorable ROBERT LANSING,
Secretary of State of the United States.

The Secretary of State to the Ambassador of Great Britain on Special Mission

DEPARTMENT OF STATE,
Washington, June 3, 1918

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of this date in regard to the Military Service Convention between the United States and Great Britain signed today, in which you state that you are instructed to explain why the proviso to Article One does not limit the military service of citizens of the United States in Great Britain to those of the ages specified in the laws of the United States prescribing compulsory military service as requested by the United States Government. In explanation Your Excellency states as follows:

"The reason for the omission of this clause in the proviso is a desire to avoid the delay which would be involved in modifying the Military Service Acts 1916 to 1918, which control the operation of any convention of this character. I beg you therefore to be good enough not to press this proposal.

"The effect of these Acts is to make United States citizens in Great Britain under this convention liable to military service between the ages of 18 and 49 years, both inclusive. The limitation of the ages of United States citizens in Great Britain for the purposes of military service to those prescribed in the laws of the United States relating to compulsory military service, may, however, be attained without amendment of these Acts by the exercise by the United States of its right of exemption under Article Three."

Your Excellency adds that

"His Majesty's Government understand, therefore, that the United States Government will exercise its right under Article Three to exempt from compulsory military service in Great Britain all citizens of the United States in Great Britain, outside the ages specified in the laws of the United States prescribing compulsory military service."

In reply I have the honor to inform your Excellency that the Government of the United States is pleased to accept this explanation of said Article One and in lieu of a clause in this Article limiting the military service of citizens of the United States in Great Britain to those of the ages specified in the laws of the United States prescribing compulsory military service to exercise its right under Article Three to exempt from compulsory military service in Great Britain all citizens of the United States in Great Britain outside of the ages specified in the laws of the United States prescribing compulsory military service.

I have the honor to be, with the highest consideration,

Your Excellency's most obedient servant,

ROBERT LANSING

His Excellency

THE EARL OF READING,

*Ambassador of Great Britain
on Special Mission.*